

House Bill 855

By: Representative Willard of the 49th

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 5 of Title 21 of the Official Code of Georgia Annotated, relating to ethics in government, so as to limit the amount of funds that can be transferred from one candidate's campaign account to certain other accounts; to change a certain definition; to reduce maximum campaign contributions; to remove provisions regarding automatic increases in the maximum allowable contributions to candidates based on the Consumer Price Index published by the Bureau of Labor Statistics of the United States Department of Labor; to provide for a cap on the amount of any gift from a lobbyist to any elected official; to provide for certain restrictions on elected officials and certain staff regarding when such officials and staff may work as a lobbyist; to prohibit lobbyists from giving certain gifts; to provide for related matters; to provide for effective dates; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 5 of Title 21 of the Official Code of Georgia Annotated, relating to ethics in government, is amended by revising paragraph (14) of Code Section 21-5-3, relating to definitions regarding ethics in government, as follows:

"(14) 'Gift' means any gratuitous transfer to a public officer or any member of the family of the public officer or a loan of property or services which is not a contribution as defined in paragraph (7) of this Code section and which is ~~in the amount of \$101.00 or more~~ less than \$100.00."

SECTION 2.

Said chapter is further amended by revising subparagraph (b)(1)(B) of Code Section 21-5-33, relating to the disposition of contributions, as follows:

"(B) Except as otherwise provided in subparagraph (D) of this paragraph, for transferral ~~without limitation~~ not to exceed an aggregate amount of \$5,000.00 per election cycle to

26 any national, state, or local committee of any political party, to political action
27 committees, or to any candidate;"

28 **SECTION 3.**

29 Said chapter is further amended by revising subsection (b) and repealing subsection (k) of
30 Code Section 21-5-41, relating to maximum allowable contributions, as follows:

31 "(b) No person, corporation, political committee, or political party shall make, and no
32 candidate or campaign committee shall receive from any such entity, contributions to any
33 candidate for the General Assembly or public office other than state-wide elected office
34 which in the aggregate for an election cycle exceed:

- 35 (1) ~~Two thousand~~ Four hundred dollars for a primary election;
36 (2) ~~One thousand~~ Two hundred dollars for a primary run-off election;
37 (3) ~~Two thousand~~ Four hundred dollars for a general election; and
38 (4) ~~One thousand~~ Two hundred dollars for a general election runoff."

39 "(k) At the end of the election cycle applicable to each public office as to which campaign
40 contributions are limited by this Code section and every four years for all other elections
41 to which this Code section is applicable, the contribution limitations in this Code section
42 shall be raised or lowered in increments of \$100.00 by regulation of the State Ethics
43 Commission pursuant to a determination by the commission of inflation or deflation during
44 such cycle or four-year period, as determined by the Consumer Price Index published by
45 the Bureau of Labor Statistics of the United States Department of Labor, and such
46 limitations shall apply until next revised by the commission. The commission shall adopt
47 rules and regulations for the implementation of this subsection."

48 **SECTION 4.**

49 Said chapter is further amended by revising Code Section 21-5-75, relating to
50 postemployment restrictions on public officers, as follows:

51 "21-5-75.

52 (a) Except as provided in subsection (b) of this Code section, ~~on and after January 8, 2007,~~
53 persons identified in subparagraphs (A) through (D) of paragraph (22) of Code Section
54 21-5-3₂, ~~and~~ the executive director of each state board, commission, or authority, and all
55 persons appointed to a full-time salaried position by the Governor who have served a
56 minimum of three months in such position shall be prohibited from registering as a lobbyist
57 or engaging in lobbying under this article for a period of one year after terminating such
58 employment or leaving such office.

59 (b) The lobbying prohibition contained in subsection (a) of this Code section shall not
60 apply to persons who terminate such employment or leave such office but who remain
61 employed in state government."

62 **SECTION 5.**

63 Section 2 of this Act shall become effective on January 1, 2011. Section 3 of this Act shall
64 become effective February 1, 2011. All remaining sections of this Act shall become effective
65 upon its approval by the Governor or upon its becoming law without such approval.

66 **SECTION 6.**

67 All laws and parts of laws in conflict with this Act are repealed.